

Appln No. 10/751,341
Amdt date February 26, 2007
Reply to Office action of November 30, 2006

REMARKS/ARGUMENTS

The above identified patent application has been amended and reconsideration and reexamination are hereby requested.

Claims 1 - 3 and 15 are now in the application. Claims 4 - 14 have been withdrawn. Claim 1 has been amended. New Claim 15 has been added. No new matter has been added.

The Examiner has rejected Claims 1 - 2 under 35 U.S.C. §103 as being unpatentable over Takagi. The Examiner has found Claim 3 to be allowable if rewritten in independent form. The Applicants have added new Claim 15 wherein Claim 3 has been put into independent form.

The Applicants' amended Claim 1 calls for (underlining added for emphasis): "... each protrusion electrode joining a respective bus electrode at a respective single junction and tapering from a larger width within a discharge cell to a smaller width at the respective single junction."

The Applicants submit that the invention as claimed in Claim 1 is neither taught, described or suggested in Takagi.

While Takagi in Fig.9 may provide for bus electrodes for each of the discharge cells, and protrusion electrodes formed extending from each of the bus electrodes such that a pair of opposing protrusion electrodes is formed within areas corresponding to each discharge cell, Takagi does not describe, teach or suggest: "... each protrusion electrode joining a respective bus electrode at a respective single junction and tapering from a larger width within a discharge cell to a smaller width at the respective single junction. Accordingly, the Applicants submit that Claim 1 is not unpatentable over Takagi.

Claim 2 is dependent on Claim 1. As such, Claim 2 is believed allowable based upon Claim 1 and also for the limitations set forth in Claim 2.

The Examiner has provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 21 of co-pending application Serial No. 10/746,540, over Claims 1, 10, 17 and 18 of co-pending application Serial No. 10/871,427, and over Claims 1, 12, 14, 15 and 16 of co-pending application Serial No.

Appln No. 10/751,341
Amdt date February 26, 2007
Reply to Office action of November 30, 2006

10/999,231. The Examiner has also rejected Claims 1 - 2 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 7 and 9 of U.S. Patent No. 7,109,656.

With regard to co-pending application Serial No. 10/746,540, the Examiner has accepted the Terminal Disclaimer previously filed on December 11, 2006.

However, while a Terminal Disclaimer is available to overcome obviousness-type double patenting, the Applicants submit that given that the present application was filed on January 2, 2004 and that co-pending application 10/871, 427 was filed later on June 18, 2005, that pending application 10/999,231 was filed later on November 29, 2004, and that application 10/999,226 that resulted in U.S. Patent No. 7,109,656 was filed later on November 29, 2004, any requisite Terminal Disclaimer, if needed, would be in the later filed applications not in the earlier filed present application. Accordingly, the Applicants respectfully request that the provisional double-patenting rejections and the double-patenting rejection be withdrawn with regard to the later filed applications.

Therefore, in view of the above amendment and remarks it is submitted that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. As such, allowance of the above Application is requested.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP



By

Richard J. Paciulan
Reg. No. 28,248
626/795-9900

RJP/cah

CAH PAS718912.1-*02/26/07 9:15 AM